

Appl. No. 09/322,259
Appeal Brief



**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

Appl. No.: 09/322,259

Applicant(s): John Reagan, et al.

Filed: May 28, 1999

Title: IMPROVED VOCODER METHOD

TC/A.U.: 2600/2655

Examiner: Michael H. Opsasnick

Atty. Docket: PHA 51,214

Page 1 of 21

**CERTIFICATE OF MAILING OR
TRANSMISSION**

I certify that this correspondence is
being:

☒ deposited with the U.S.
Postal Service with sufficient
postage as first-class mail in an
envelope addressed to:

Assistant Commissioner for Patents
Mail Stop Appeal Brief
P.O. Box 1450, Alexandria, VA
22313-1450.

☐ transmitted by facsimile to
Technology Center 2800 of the
U.S. Patent and Trademark Office
at fax number (703) 872-9318

On: 022 November 2004

By: 
William S. Francos

APPEAL BRIEF

Honorable Assistant Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In connection with the Notice of Appeal filed on September 22, 2004, Applicants provide the following Appeal Brief in the above captioned application.

1. Real Party in Interest

The real party in interest as assignee of the entire right

another. This does not provide the motivation to combine the reference. Rather, there must be a suggestion provided in the reference for its combination. It is respectfully submitted that the requisite motivation has not been provided from the references themselves.

9. Payment of Fees

Permission is hereby given to charge Deposit Account 50-0238 for the fee required for the present Brief provided by 37 C.F.R. § 1.17(c).

10. Conclusion

In view of the foregoing, applicant(s) respectfully request(s): the withdrawal of all objections and rejections of record; the allowance of all the pending claims; and the holding of the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies to charge payment or credit any overpayment to Deposit Account Number 50-0238 for any additional fees under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17.

In the event that there are any outstanding matters remaining in the present application, the Examiner is invited to contact William S. Francos, Esq. (Reg. No. 38,456) at (610) 375-3513 to discuss these matters.

Respectfully submitted on behalf of:
Koninklijke Philips N.V.

A handwritten signature in black ink, appearing to read 'William S. Francos', is written over a horizontal line.

by: William S. Francos, Esq. (Reg. No. 38,456)

November 22, 2004
Volentine Francos & Whitt, PLLC
One Freedom Square
11951 Freedom Dr.
Reston, VA 20190